

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed January 13, 2006. Claims 3-15, 18-21, 32, 37, 39, 41, 42, 44-60, 62, 64 and 66 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 3-15, 18-21, 32, 37, 39, 44, 45, 47-49, 51-53, 55, 57, 59, 60, 62, 64 and 66. The present response amends claims 3-6, 8, 12-15, 21, 48, 49, 51, 60, 62, 64 and 66, leaving for the Examiner's present consideration claims 3-15, 18-21, 32, 37, 39, 44, 45, 47-49, 51-53, 55, 57, 59, 60, 62, 64 and 66. Reconsideration of the rejections is respectfully requested.

I. Allowable Subject Matter

Upon further consideration of the Zarowin et al. reference (Rapid, Non-Contact, Damage Free Shaping of Optical & Other Surfaces With Plasma Assisted Chemical Etching, 43rd Annual Symposium on Frequency Control 1989, pp. 623-626, the indicated allowability of the claims is withdrawn. This reference was applied in the Office action mailed April 25, 2003. In response to applicant's arguments filed August 11, 2003 the rejection was dropped. However, the Examiner now believes the rejection should have been maintained. Many of the claims now pending also read on the teachings of Zarowin.

Applicant first corrects an error in previous claims/responses and hereby claims injecting a precursor, not species, into the annular plasma. In the Response to Arguments on page 6, Examiner states that "applicant's arguments rely upon a feature that is not recited in the rejected claims", namely the flow of reactive precursor is separate from the plasma. Independent claims 3-6, 8, 12-15, 21, 60, 62, 64 and 66 have been amended to

cite such limitation so that the claimed invention is distinguishable from Zarowin, and Applicants respectfully request that the claims be allowed.

II. Claim Objections

Claims 48, 49 and 51 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claims, or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form.

Claims 48, 49 and 51 have been amended to further limit the subject matter of a previous claim, and Applicants respectfully request that the objections with respect to these claims be withdrawn.

III. Claim Rejections – 35 USC § 102

Claims 3, 5-12, 18, 20, 21, 32, 37, 39, 44, 45, 47-49, 51-53, 55, 60, 62, 64 and 66 are rejected under 35 U.S.C. 102(b) as being anticipated by Zarowin et al. in *Rapid, Non-Contact, Damage Free Shaping of Optical & Other Surfaces with Plasma Assisted Chemical Etching*, 43rd Annual Symposium on Frequency Control 1989, 623-626 (hereinafter, Zarowin).

Independent claims 3-6, 8, 12-15, 21, 60, 62, 64 and 66 have been amended to cite “injecting a separate flow of a precursor into the annulus center of the annular plasma”, which is distinguishable from Zarowin. Since claims 7, 9-11, 18, 20, and 32 depend on claim 21, claims 39, 47, 51, and 55 depend on claim 66, claims 44, 48, and 52 depend on claim 60, claims 45, 49, and 53 depend on claim 62, claims 3, 5-12, 18, 20, 21, 32, 37, 39, 44, 45, 47-49, 51-53, 55, 60, 62, 64 and 66 cannot be anticipated by Zarowin under 35 U.S.C. 102(b) for at least this reason, and Applicants respectfully request that the rejections with respect to these claims be withdrawn.

IV. Claim Rejections – 35 USC § 103

1. Claims 3-12, 19-21, 32, 37, 39, 44, 45, 47-49, 51, 60, 62, 64 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollinger et al. in "Rapid, Non-Contact Optical Figuring of Aspheric Surfaces with Plasma Assisted Chemical Etching (PACE)" in SPIE Vol. 1333, pages 44-57 (hereinafter, Bollinger) in view of Zarowin.

Bollinger, which is cited as a prior art in the application, does not teach injecting a separate flow of precursors into a plasma. Zarowin does not teach such limitation either as discussed in previous responses. Therefore, Bollinger in view of Zarowin cannot anticipate independent claims 3-6, 8, 21, 60, 62, 64 and 66. Since claims 7, 9-11, 19, 20, and 32 depend on claim 21, claims 37, 45, and 49 depend on claim 62, claims 39, 47, and 51 depend on claim 66, claims 44, and 48 depend on claim 60, claims 3-12, 19-21, 32, 37, 39, 44, 45, 47-49, 51, 60, 62, 64 and 66 cannot be rendered obvious over Bollinger in view of Zarowin under 35 U.S.C. 103(a) for at least this reason, and Applicants respectfully request that the rejections with respect to these claims be withdrawn.

2. Claims 13-15, 56, 57 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollinger in view of US Patent 5,961,772 issued to Selwyn, and further in view of US Patent 6,068,784 issued to Collins et al. (hereinafter, Collins).

As discussed in previous responses, neither Selwyn nor Collins teaches injecting a separate flow of precursor into a plasma. Bollinger does not teach such limitation either. Bollinger in view of Selwyn and further in view of Collins cannot anticipate independent claims 13-15, 21, 60, 62, and 66. Since claim 56 depends on claim 60, claim 57 depends on claim 62, and claim 59 depends on claim 66, claims 13-15, 56, 57 and 59 cannot be

rendered obvious over Bollinger in view of Selwyn and further in view of Collins under 35 U.S.C. 103(a) for at least this reason, and Applicants respectfully request that the rejections with respect to these claims be withdrawn.


V. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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